

MINUTE ENTRY PROCEEDINGS: JURY TRIAL - Day 5

Attorney James Bickerton was present with and on behalf of Plaintiff Bruce Lee Jorgensen. Attorney Douglas Cushnie was present on behalf of and with Defendant Benjamin B. Cassiday. III.

With witness Cassiday on the witness stand, the Defendant's continued with playing Audio Tape #2 for the jurors.

Defense moved to admit into evidence Exhibits A, B, C, D (Portions of Transcript of Audio Tapes). Plaintiff objected. Court received A, B, C and D over objection. DX.
CX.

Court recessed at 11:00 a.m. and reconvened at 11:20 a.m.

Attorney Bickerton continued with the CX of witness Cassiday. RDX.

Defense stated that they had no further witnesses and that they RESTED their case.

In rebuttal, Attorney Bickerton called witness Jorgensen to the stand. DX.

Court dismissed the jurors for a lunch break at 12:00 and the jurors were ordered to return at 1:30 p.m. and not to talk about this case.

Out of the presence of the jurors, Attorney Bickerton renewed the motion for Judgment as a Matter of Law and for a directed verdict on liability.

Attorney Cushnie argued on behalf of the defendant's. Court denied motion for Judgment as a Matter of Law and granted the motion as to liability.

Attorney Cushnie moved for Judgment as to a Matter of Law. Court denied the the Rule 50 motion.

Court recessed at 12:18 p.m. for a lunch break and reconvened at 1:35 p.m.

Outside the presence of the jurors the jury instructions were reviewed and argued.

Jurors were brought into the Courtroom at 1:50 p.m. and Plaintiff began opening argument.

Defense began closing argument at 2:40 p.m. and ended at 3:04 p.m.

Plaintiff began closing argument at 3:05 p.m.

Court excused the jurors for the day at 3:40 p.m. and jurors were admonished not to talk with anyone regarding the case. Jurors were ordered to return to the Court at 9:00 a.m. Monday to receive jury instructions and to begin deliberation.

Court discussed with attorneys the procedure of reading instructions to the jury on Monday morning.

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